

## 219.811-3

## 48 CFR Ch. 2 (10-1-06 Edition)

### 219.811-3 Contract clauses.

(1) Use the clause at 252.219-7009, Section 8(a) Direct Award, instead of the clauses at FAR 52.219-11, Special 8(a) Contract Conditions, FAR 52.219-12, Special 8(a) Subcontract Conditions, and FAR 52.219-17, Section 8(a) Award, in solicitations and contracts processed in accordance with the PA cited in 219.800.

(2) Use the clause at FAR 52.219-18, Notification of Competition Limited to Eligible 8(a) Concerns, with 252.219-7010, Alternate A, in solicitations and contracts processed in accordance with the PA cited in 219.800.

(3) Use the clause at 252.219-7011, Notification to Delay Performance, in solicitations and purchase orders issued in accordance with 219.804-2(2).

[63 FR 33588, June 19, 1998, as amended at 67 FR 11437, Mar. 14, 2002]

### 219.812 Contract administration.

(d) Awards under the PA cited in 219.800 are subject to Section 407 of Pub. L. 100-656. These contracts include the clause at 252.219-7009, Section 8(a) Direct Award, which requires the 8(a) contractor to notify the SBA and the contracting officer when ownership of the firm is being transferred.

[63 FR 33588, June 19, 1998, as amended at 67 FR 11437, Mar. 14, 2002]

## Subpart 219.10—Small Business Competitiveness Demonstration Program

### 219.1005 Applicability.

(a)(i) Architect-engineering services in support of military construction projects or military family housing projects are exempt from the Small Business Competitiveness Demonstration Program, except for the emerging small business (ESB) set-aside requirements. Accordingly, these shall—

(A) Be reviewed for possible award under the 8(a) Program regardless of dollar value.

(B) Not be set aside for small business if the estimated value is \$300,000 or more (including indefinite delivery-indefinite quantity contracts if the value of all anticipated orders exceeds \$300,000).

(C) Be considered for ESB set-aside if the estimated value is both less than the emerging small business reserve amount and less than \$300,000.

(D) Be considered for small business set-aside if the estimated value is less than \$300,000, regardless of whether small business set-asides for other architect-engineer services are prohibited under the Small Business Competitiveness Demonstration Program, when an ESB set-aside is not appropriate.

(ii) All requirements of the Small Business Competitiveness Demonstration Program apply to architect-engineer services in support of other than military construction projects or military housing objects, which otherwise meet criteria in FAR subpart 19.10.

(b) The targeted industry categories for DoD are:

North American Industry Classification System (NAICS) Description	NAICS Code
(1) Pharmaceutical Preparation Manufacturing .....	325412
(2) Ammunition (except Small Arms) Manufacturing .....	332993
(3) Other Ordnance and Accessories Manufacturing .....	332995
(4) Turbine and Turbine Generator Set Unit Manufacturing .....	333611
(5) Aircraft Engine and Engine Parts Manufacturing (including Research and Development) .....	336412
(6) Guided Missile and Space Vehicle Manufacturing (including Research and Development) .....	336414
(7) Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing (including Research and Development) .....	336419
(8) Military Armored Vehicle, Tank and Tank Component Manufacturing .....	336992
(9) Search and Navigation System and Instrument Manufacturing ...	334511
(10) (i) Cellular and Other Wireless Telecommunications .....	517212
(ii) Satellite Telecommunications .....	517410
(iii) Other Telecommunications	517910

[56 FR 36353, July 31, 1991, as amended at 59 FR 27670, May 27, 1994; 62 FR 34122, June 24, 1997; 63 FR 41974, Aug. 6, 1998; 65 FR 50149, Aug. 17, 2000; 66 FR 49861, Oct. 1, 2001; 68 FR 50476, Aug. 21, 2003; 69 FR 31909, June 8, 2004]